

**UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE: MICHAEL STEVEN GARDNER

Debtor(s)

CHAPTER 13

CHARLES J. DEHART, III  
CHAPTER 13 TRUSTEE  
Movant

vs.

MICHAEL STEVEN GARDNER

CASE NO: 1-17-03154-HWV

Respondent(s)

**TRUSTEE'S MOTION TO DISMISS CASE**

AND NOW, on January 22, 2018, comes Charles J. DeHart, III, Standing Chapter 13 Trustee, by and through his attorney James K. Jones, Esquire, and respectfully represents the following:

1. A Plan was filed on July 31, 2017.
2. A Confirmation hearing was held and an Order was entered on October 25, 2017 directing that an amended plan be filed within sixty (60) days.
3. As of the date of this Motion, an amended plan has not been filed.
4. The delay in filing a confirmable plan in this case is prejudicial to creditors.

WHEREFORE, your Trustee respectfully requests your Honorable Court dismiss the case upon the basis that Debtors have failed to propose a confirmable Plan.

Respectfully submitted,

s/ James K. Jones, Esq.

Id: 39031

Attorney for Trustee  
Charles J. DeHart, III  
Standing Chapter 13 Trustee  
Ste. A, 8125 Adams Drive  
Hummelstown, PA 17036  
Ph. 717-566-6097  
Fax. 717-566-8313  
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**NOTICE**

NOTICE IS HEREBY GIVEN that Charles J. DeHart, III, Standing Chapter 13 Trustee for the Middle District of Pennsylvania has filed a Motion to Dismiss for failure to file a confirmable Chapter 13 Plan.

YOU ARE HEREBY NOTICED that a hearing has been scheduled on this matter for:

Ronald Reagan Federal Bldg Bankruptcy Courtroom, 3rd Floor 228 Walnut Street Harrisburg, PA 17101	Date:   February 14, 2018  Time:   09:35 AM
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Any objection or response filed must be filed with the Clerk, U.S. Bankruptcy Court and served on the Chapter 13 Trustee.

Charles J. DeHart, III, Trustee  
8125 Adams Drive, Suite A  
Hummelstown, PA 17036  
Phone: (717) 566-6097  
Email: [dehartstaff@pamd13trustee.com](mailto:dehartstaff@pamd13trustee.com)

Dated: January 22, 2018

**UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN       MICHAEL STEVEN  
RE:      GARDNER

CHAPTER 13

CASE NO: 1-17-03154-HWV

Debtor(s)

CHARLES J. DEHART, III  
CHAPTER 13 TRUSTEE  
Movant

**CERTIFICATE OF SERVICE**

AND NOW, on January 22, 2018, I, Vickie Williams, hereby certify that I served a copy of the Trustee's Motion to Dismiss, Notice, and Proposed Order either electronically or by depositing a true and correct copy of the same in the United States Mail at Hummelstown, Pennsylvania, first class mail, postage prepaid, addressed to the following:

PAUL MURPHY-AHLES ESQUIRE  
DETHLEFS, PYKOSH & MURPHY  
2132 MARKET STREET  
CAMP HILL, PA 17011-

MICHAEL STEVEN GARDNER  
705 South Market Street  
Mechanicsburg, PA 17055

Respectfully Submitted,  
s/ Vickie Williams  
for Charles J. DeHart, III, Trustee  
8125 Adams Drive, Suite A  
Hummelstown, PA 17036  
Phone: (717) 566-6097  
Email: dehartstaff@pamd13trustee.com

Dated: January 22, 2018

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**ORDER DISMISSING CASE**

Upon consideration of the Trustee's Motion to Dismiss, it is hereby Ordered that the above-captioned bankruptcy be and hereby is dismissed.